

**AMENDMENTS TO THE DRAWINGS**

The attached drawing sheet includes changes to Fig. 5. The changes are explained in the Remarks section of this paper.

Attachment: Replacement Sheet

**REMARKS**

Claims 1-9 are pending. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Figure 5 was objected to for the lack of a label identifying it as prior art. The attached replacement sheet include a label that identifies Fig. 5 as prior art. No other changes have been made and no new matter has been added. Therefore, the objection to Fig. 5 should be withdrawn.

The specification was objected to for the misspelling of Ethylene. This has been corrected by the above amendments to the specification.

Claim 1 was rejected under 35 USC 102(b) as being anticipated by Otomo (US 6,139,119). The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claim 1 has been amended and includes features that are not disclosed or suggested by the Otomo patent. For example, claim 1 now recites first and second shock absorbing bodies and their functions. The features added to claim 1 are supported at least on page 24, line 25 to page 26, line 2 in the specification and in Fig. 4. The effects of the added features are discussed on page 26, line 3 to page 27, line 6. Therefore, claim 1 cannot be anticipated by the patent to Otomo and this rejection should be withdrawn.

According to the Otomo patent, the master cylinder pressure  $P_{MC}$  is applied to the first piston 96. The left end of the tubular portion 104 of the first piston 96 contacts the second piston 108 based on the applied force. Then, the applied force is transmitted to the second piston 108, and the second piston 108 is displaced (See, column 7, lines 30-53 in the specification of Otomo).

Therefore, since the tubular portion 104 of the first piston 96 is used for setting a stroke (corresponding to the first stroke S1 of the present invention), the tubular portion 104 may be made of elastic material. Thus, it is possible to adjust the stroke by, for example, cutting the flange portion 111 of the second piston 108 that abuts the tubular portion 104. Thus, in the Otomo reference, as in the present invention, the first and second stroke can be adjusted by varying only one part. However, in the Otomo reference, the flange portion 111 should be varied for adjusting the first and second stroke, and is difficult to vary the flange portion 111 in the manufacturing process. On the other hand, in the present invention, the stroke can be adjusted by cutting both ends of the second piston 44, which is an easier manufacturing process.

Claim 2 was rejected under 35 USC 103(a) as being unpatentable over Otomo in view of Winkelmann *et al.* (US 2002/0116924). Claim 2 depends on claim 1. Therefore, claim 2 is considered to be patentable at least for the reasons given above with respect to claim 1. Further, the Winkelmann *et al.* reference fails to supply what is missing in the Otomo patent.

Claims 5 and 6 were rejected under 35 USC 103(a) as being unpatentable over Otomo in view of Handke *et al.* (US 5,467,851). Claims 5 and 6 depend, directly or indirectly, on claim 1. Therefore, claims 5 and 6 are considered to be patentable at least for the reasons given above with respect to claim 1.

Claim 3 was rejected under 35 USC 103(a) as being unpatentable over Otomo in view of Horiuchi *et al.* (US 5,038,564). Claim 3 depends on claim 1. Therefore, claim 3 is considered to be patentable at least for the reasons given above with respect to claim 1. Further, the Horiuchi *et al.* reference fails to supply what is missing in the Otomo patent.

Claim 4 was rejected under 35 USC 103(a) as being unpatentable over Otomo in view of Winkelmann *et al.* and Horiuchi *et al.* Claim 4 depends indirectly on claim 1. Therefore, claim

4 is considered to be patentable at least for the reasons given above with respect to claim 1. Further, neither the Winkelmann *et al.* reference nor the Horiuchi *et al.* reference supply the disclosure missing in the Otomo patent.

Claim 7 was rejected under 35 USC 103(a) as being unpatentable over Otomo in view of Horiuchi *et al.* and Handke *et al.* Claim 7 depends indirectly on claim 1. Therefore, claim 7 is considered to be patentable at least for the reasons given above with respect to claim 1. Further, neither the Horiuchi *et al.* reference nor the Handke *et al.* reference supply the disclosure missing in the Otomo patent.

Claim 8 was rejected under 35 USC 103(a) as being unpatentable over Otomo in view of Winkelmann *et al.* and Horiuchi *et al.* and Handke *et al.* Claim 8 depends indirectly on claim 1. Therefore, claim 8 is considered to be patentable at least for the reasons given above with respect to claim 1. Further, none of the Winkelmann *et al.* reference, the Horiuchi *et al.* reference, and the Handke *et al.* reference supply the disclosure missing in the Otomo patent.

Claims 1-4 and 9 were rejected under 35 USC 103(a) as being unpatentable over Horiuchi *et al.* in view of Winkelmann *et al.* The applicant respectfully requests that this rejection be withdrawn for the following reasons.

As mentioned above, claim 1 has been amended and now recites first and second shock absorbing bodies and their functions. Neither Horiuchi *et al.* nor Winkelmann *et al.* disclose or suggest the claimed stroke simulator. Thus, a combination of Horiuchi *et al.* nor Winkelmann *et al.* cannot include the claimed features, and this rejection should be withdrawn.


Claims 5-8 were rejected under 35 USC 103(a) as being unpatentable over Horiuchi *et al.* in view of Winkelmann *et al.* and Handke *et al.* Claims 5-8 depend, directly or indirectly, on claim 1. Therefore, claims 5-8 are considered to be patentable at least for the reasons given

above with respect to claim 1. Further, the patent to Handke *et al.* fails to supply what is missing in the combination of Horiuchi *et al.* and Winkelmann *et al.*

In view of the foregoing, the applicant submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,

  
James E. Barlow  
Reg. No. 32,377

Posz Law Group, PLC  
12040 South Lakes Drive, Suite 101  
Reston, VA 20191  
Phone 703-707-9110  
Fax 703-707-9112  
Customer No. 23400